GOVERNMENT OF INDIA
PETROLEUM AND NATURAL GAS
LOK SABHA

UNSTARRED QUESTION NO:3301
ANSWERED ON:13.03.2003
NOC FOR INSTALLATION OF PETROL PUMPS
RAGHURAJ SINGH SHAKYA

Will the Minister of PETROLEUM AND NATURAL GAS be pleased to state:

(a) whether the Government are aware that the District Magistrates of thedifferent districts specially in Haryana and Punjab are unnecessarily delaying to issue the NOC for the installation of Petrol Pumps;

(b) if so, the time prescribed in the Petroleum Act for the issue of NOC of OilCompanies after the submission of application for the same;

(c) whether there is some provision to issue the NOC by any other authority ofUnion Government in case the District Magistrates do not issue the NOC even after the lapse of 6 months or one year due to some other reasons;

(d) if not, the remedy with the applicant or they are left on the mercy of District Magistrates;

(e) whether the necessity of obtaining NOC from District Magistrates wouldbe stopped as is done in case of construction of LPG Godowns; and

(f) if not, the reasons for this discrimination?

Answer

MINISTER OF STATE IN THE MINISTRY OF PETROLEUM & NATURAL GAS (SHRI SANTOSH KUMAR GANGWAR)

(a) to (f) Generally the `No Objection Certificate` (NOC) for the installation of retail outlets (petrol pumps) is given by the District Magistrate after obtaining NOCs from various authorities like the Police, the Fire Service, the Public Works Department, etc.

As per Rule 144(5) of the Petroleum Rules, 2002, the District Authority shall complete its inquiry for issuing the NOC under sub-rule (1) and shall complete the action for issue or refusal of the NOC, as the case may be, as expeditiously as possible, but not later than three months from the date of receipt of the application by him. As per Rule 149, a District Authority refusing to grant an NOC under Rule 144 shall record in writing the reasons for such refusal, and shall furnish the applicant a copy of such order after the applicant has been given a reasonable opportunity of being heard.

As per Rule 154 (2), an appeal against any order of the District Authority refusing to grant or cancelling an NOC shall lie to the Authority which is immediately superior to the said District Authority.

As per practice, an NOC is obtained form the District Authority for applying for the issue of the Explosive Licence for the construction of the LPG godown.